

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
MAY 19, 2009 MINUTES
COMMUNITY CENTER
55 Jefferson Avenue
7:30 PM Executive Closed Session/8:00 pm Work Session**

1. Opening of the Meeting:

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

2. Roll Call:

Mayor Birkner - present
Councilmember Grefrath - present
Councilmember Miller - present
Council President Phayre - present
Councilmember Quinn - present
Councilmember Sciara - present
Councilmember Waneck - present
Borough Administrator Hoffmann - present
Borough Attorney Huntington - present
Borough Clerk Hughes – present

Committee Assignments:

Finance, Administration & Capital Projects
Police & OEM
Public Properties
Health & Recreation
Fire & Ambulance
Land Use

3. Executive Closed Session:

RESOLVED THAT the Mayor and Council of the Borough of Westwood shall convene in Executive Closed Session to discuss the following matters:

Personnel Matters
Pending/Potential Litigation
Attorney's Report

Said discussions are deemed legally confidential pursuant to NJSA 10:4-12(b)

(7) Litigation or contract negotiation, attorney/client
(8) Employment matters

The Clerk is directed to keep separate minutes of the meeting which shall be made public once that matter has been resolved.

Motion to enter Closed Session with the intention to reconvene in Open Session:

Councilmember Miller Second: Councilmember Waneck

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes
Council President Phayre - Yes
Councilmember Quinn - Yes
Councilmember Sciara - Yes
Councilmember Waneck - Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Waneck

Second: Councilmember Quinn

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:08 pm.

5. Roll Call II:

Mayor Birkner - Present

Councilmember Grefrath - Present

Councilmember Miller - Present

Council President Phayre - Present

Councilmember Quinn - Present

Councilmember Sciara - Present

Councilmember Waneck - Present

Borough Administrator Hoffmann - Present

Borough Attorney Huntington - Present

Borough Engineer Boswell - Present

Borough Clerk Hughes - Present

6. Presentation of Colors by the Westwood Volunteer Fire Department Color Guard

7. Invocation & Flag Salute:

Councilmember Miller gave the invocation. Mayor Birkner led those present in the salute to the flag.

(Colors retired)

8. Proclamation for the Westwood Volunteer Fire Department Color Guard

The Westwood Volunteer Fire Department Color Guard was honored for its distinguished service.

9. Appointment and Installation of Fire Department Members

Resolution #09 - 146: Fire Department Personnel Matters

Motion to adopt resolution #09-146: Councilmember Sciara

Second: Council President Phayre

Roll Call: Councilmember Grefrath – Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

10. Presentation to the Advanced Wood Technical Class by the Westwood Fire Department Ladies Auxiliary

A proclamation was presented to the Westwood Regional High School Advanced Wood Technical Class for the restoration work they performed on the Westwood Fire Department Ladies Auxiliary In Memorium plaque.

Mayor Birkner took a moment to announce that the Grand Marshall of the Memorial Day Parade would be Donald Hodges.

11. Appointment and Installation of Police Auxiliary

Resolution #09 - 147: Appointment of Westwood Police Auxiliary Officers

Motion to adopt resolution #09-147: Councilmember Miller

Second: Councilmember Sciara

Roll Call: Councilmember Grefrath – Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Mayor Birkner administered the Oath of Office to the two new Auxiliary Police members. Chief Regino welcomed the two new members to the Auxiliary Police Department. He noted they have completed basic training and have started their in-service training. They will be patrolling the streets soon.

12. Boy Scout Klondike Derby Winners – Troop 47

The members of Boy Scout Troop 47 were presented with a proclamation honoring their Klondike Derby third place finish.

Mayor Birkner announced that the Public Hearing for the Certificate of Need will be held on June 8 at 6:00 pm at the Westwood Regional High School. He noted it was important for residents to attend, since it will speak volumes to the State Department of Health. Councilmember Grefrath encouraged everyone to bring 50-60 of their friends.

13. Community Service Awards

Presented by Mayor Birkner and the various Council liaisons to individuals who were nominated by their organizations for outstanding volunteer service to the community.

14. Approval of Minutes: April 7, 14

a) Approval of Minutes: April 7

Councilmember Grefrath presented the minutes of the April 7th Mayor and Council work meeting for consideration.

Motion to adopt the minutes of April 7th: Councilmember Grefrath

Second: Council President Phayre

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara – Yes

Councilmember Waneck - Yes

b) Councilmember Grefrath presented the minutes of the April 14th Mayor and Council public meeting for consideration.

Motion to adopt the minutes of April 14th: Councilmember Grefrath

Second: Councilmember Quinn

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara – Yes

Councilmember Waneck - Yes

15. 2009 Municipal Budget

a) Hearing on Introduced 2008 Municipal Budget

Councilmember Grefrath noted that the budget could not be adopted at this time because the State had not finished its review. However, the public hearing would be held as advertised. Councilmember Grefrath summarized the 2009 budget. He then asked CFO Raymond Herr to give a more in-depth analysis of the budget.

Motion to Open Hearing on Introduced 2009 Municipal Budget: Councilmember Grefrath

Second: Councilmember Waneck

Voice Vote: A voice vote was taken with all present voting in the affirmative.

Gail Frasco, 21 Mill Street – asked for the debt totals for 2006, which is \$18,925,00; 2007, which is \$18,856,000; and 2008, which is \$18,810,000. Mrs. Frasco requested the total amount received from the hospital. Mayor Birkner said \$523,000 was received from HUMC, and \$420,000 from PVH. Mrs. Frasco asked how much the school and county received in taxes. Mr. Herr said 58% and 10% for school and county respectively. Mrs. Frasco asked for the projected gross debt for 2009. Mr. Herr said it depends on how many ordinances are introduced throughout the year. Liz Schick, from the Borough's auditing firm Lerch, Vinci, and Higgins, said the Borough is paying off \$1.2 million of debt service in the 2009 budget.

Motion to Close Hearing on Introduced 2009 Municipal Budget: Councilmember Grefrath

Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**b) Ordinance #09-07: An Ordinance To Exceed The Municipal Budget
Appropriation Limits And To Establish A CAP Bank (NJSA
40A:4-45.14)**

BE IT RESOLVED that Ordinance #09-07 entitled: "An Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A CAP Bank (NJSA 40A:4-45.14)" as amended, having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Grefrath

Second: Councilmember Phayre

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Councilmember Grefrath noted this is the same ordinance that is adopted yearly.

Public Comments:

There were no public comments.

Motion to close the public hearing: Councilmember Grefrath

Second: Councilmember Waneck

Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #09-07 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Grefrath

Second: Councilmember Waneck

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Resolution #09 - 148: Emergency Temporary Resolution - 2009 Temporary Budget

Motion to adopt resolution #09-148: Councilmember Grefrath

Second: Councilmember Waneck

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

16. Reports of Committees and Officials:

A) Mayor's Report

1) HUMC Update

Mayor Birkner reiterated that the Certificate of Need application is deemed complete, with the hearing date set for June 8.

2) Broadway Train Signalization

Mayor Birkner reported on the train signalization meeting held on May 14th. There were some points of contention during the meeting. The Borough was adamant that this project needs to be moved to the head of the NJ Transit priority list. Mayor Birkner said the Borough representatives were assured it would happen within two weeks.

3) PSE&G Work on Westwood Avenue

Mayor Birkner announced that PSE&G has begun work on Westwood Avenue. He is hoping that it will be done as expeditiously as possible. Work being done at night so as not to impact the business district during daytime hours. The Borough

has asked PSE&G to be conscious of the area residents and keep noise to a minimum. Mayor Birkner advised that the work needs to be done quickly and allowed to settle prior to the County paving Westwood Avenue in the fall.

B) Engineer's Report

1) Bi-weekly Report

Dr. Boswell reviewed his biweekly report. A copy of the report is attached.

2) Pascack Brook Stream Cleaning

Pascack Brook stream cleaning will begin after trout season, shortly after June 15 whenever the water level allows. Dr. Boswell has had conversations with Mr. Woods about using trucks other than the Borough's vehicles to remove the stream debris.

3) Pascack Brook Sewer Pipe Rehabilitation

Dr. Boswell reported on a meeting with the BCUA, who now wants the Borough to install a meter. Through the Mayor's efforts the BCUA may have a meter that the Borough can use. Dr. Boswell has modified the plans to include the meter and resubmitted them. There will be another meeting with the BCUA to finalize the matter. Dr. Boswell voiced concern about being able to bid the project prior to July 1st based on DEP requirements. Mr. Hoffmann will check with the DEP.

Mayor Birkner asked about easements for the sewer line work. Dr. Boswell will work with Mr. Huntington on them. He does not see them as a major impediment. The Borough needed to know the final plans in order to determine the required easements. The plans will be finalized after the next meeting with the BCUA. Mayor Birkner noted the Borough had asked the BCUA for relief from metering, but 54% of the flow would have been unmetered, which would have been unreasonable. Mayor Birkner said with the new line installed the Borough may see a reduction in sewer costs because of the reduction of infiltration. Dr. Boswell confirmed that the Borough should see a decrease in meter costs. Mayor Birkner asked whether the Borough will have to install new primary measuring device into the chamber currently in use to monitor the reduced flow. Dr. Boswell said the existing chamber should be sufficient. However, the BCUA wants a new type of meter on the new pipe section.

4) Emerson Road Pump Station

Dr. Boswell announced that the Emerson Road Pump Station project is complete other than seeding and gates.

5) 2009 Road Paving Program

The 2009 Road Paving Program has begun. Dr. Boswell reported that milling is completed on several roads, with paving to be done this week.

6) Westwood Avenue Crosswalk Removal

The Westwood Avenue crosswalk work is set to begin with the Broadway crosswalk Wednesday night, then the Center Avenue crosswalks on Thursday. Work should be completed by the end of next week.

7) Westvale Park

While the environmental monitoring at Westvale Park was discussed in a memo by Mr. Hoffmann, Dr. Boswell has submitted several additional items. He noted that methane production is down. If it has decreased sufficiently then there will be no need for a permit. Dr. Boswell is waiting for monitoring information from MPI that was taken last year.

8) Handicap Ramps

Dr. Boswell reported that handicap ramps have been installed along Broadway and Washington Avenue under the Bergen County 2005 Road Program. Bergen County will reimburse the Borough for that work.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Shade Tree Report

Councilmember Grefrath reported that the DPW is planting trees throughout the Borough

b) Vehicle Policy

Councilmember Grefrath is still waiting for comments from the Ambulance Corps.

c) Westwood Pride Day

Councilmember Grefrath announced that Westwood Pride day is Sunday, May 31st. The Governing Body will be weeding and trimming in Veterans Park. He asked for volunteers to help. Councilmember Quinn suggested establishing a "Clean Westwood" day. Mayor Birkner charged her with putting that plan into place.

2) Police and OEM:

a) Police Update

Councilmember Miller announced that the new fingerprinting machine will be installed in the Police Department on May 21st. The “Click it or Ticket” campaign began yesterday. A grant application was submitted earlier this week to convert non-hybrid cars to hybrids. The project also involves other communities as a shared service.

3) Fire and Ambulance:

a) Emergency Service Update

Councilmember Sciara stated he is proud to be the Fire Commissioner and Ambulance Corps Commissioner. The Fire Department showed its professionalism with the Color Guard, apparatus and members marching in the Washington Township parade. Councilmember Sciara related first-hand experience with the professionalism of the Ambulance Corps treating his grandson when he was hit by a car.

4) Public Properties:

a) Westwood Avenue Construction

Council President Phayre asked when the Westwood Avenue would be paved. Mr. Woods said in October. Council President Phayre noted that the project is being done in pieces but the Borough will have a new Westwood Avenue in the end.

b) Broadway Signalization

Council President Phayre discussed the NJ Transit meeting on signalization. The number one goal is to have Broadway traffic flowing when the gates are down, with the side streets the first to move when the gates go up. NJ Transit is looking at a bigger long term plan, but Westwood need relief now. The signals in Westwood are obsolete. This project is a major goal of the Governing Body, who intends to move it along. Council President Phayre said the Borough has been told the signalization would happen in two weeks.

5) Land Use:

a) Planning and Zoning Board Updates

Councilmember Waneck reported on a Zoning Board special meeting to hear the Paragon application. She encouraged all to come to the meetings to hear the proposals. Paragon is working with the Zoning Board to create a building that looks similar to the historical building it will abut. The Historical Commission will give their input.

Councilmember Waneck commented that the Zoning and Planning Boards

continue to be slow. Some residents who have received approvals don't have the money in the current economic climate to move forward. She advised there is a Permit Extension Act that gives residents additional time to make these improvements.

Resolution #09 - 149: Appointments to Zoning Board of Adjustment

Motion to adopt resolution #09-149: Councilmember Waneck

Second: Councilmember Sciara

Roll Call: Councilmember Grefrath – Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

6) Health and Recreation:

a) Library Update

Councilmember Quinn reported that the Westwood Library 90th Birthday Celebration is set for June 6th. The Taste of Westwood fundraiser is June 7, celebrating the 50th anniversary of the Friends of the Library.

b) Board of Health Update

The Board of health is participating in Westwood Pride Day on May 31st. There will be a “boot camp” exercise program in the park. Mayor Birkner announced that there is going to be a health fair at HUMC North on Thursday the 21st, featuring a special program on arteries.

c) Recreation Update

The Recreation Department will be offering historical walking tours of Westwood, which will be self guided. Recreation has a new parent handbook for the summer programs that is being given to families when they register.

D) Attorney's Report

No report.

E) Administrator/Clerk Report

No report

17. Ordinances of First & Final Reading:

Ordinances For Introduction

#09-12 An Ordinance Amending Ordinance No. 06-17 Entitled “An Ordinance To Establish Fees For Recreation Activities Within The Borough Of Westwood”

BE IT RESOLVED that Ordinance #09-12 entitled: “An Ordinance Amending Ordinance No. 06-17 Entitled “An Ordinance To Establish Fees For Recreation Activities Within The Borough Of Westwood” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a 23rd day of June 2009 hearing date in the official newspaper according to law.

Councilmember Quinn explained that the ordinance updates fees for using the Borough’s recreation facilities.

Motion to pass the ordinance on First Reading: Councilmember Quinn

Second: Councilmember Miller

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre – Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

#09-13 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For Curb Improvements To Provide For Handicap Accessibility At Various Locations In The Borough, And Appropriating \$38,000 Therefor From The Borough’s Capital Improvement Fund

BE IT RESOLVED that Ordinance #09-13 entitled: “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For Curb Improvements To Provide For Handicap Accessibility At Various Locations In The Borough, And Appropriating \$38,000 Therefor From The Borough’s Capital Improvement Fund” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a 23rd day of June 2009 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath

Second: Councilmember Quinn
Roll Call: Councilmember Grefrath - Yes
Councilmember Miller - Yes
Council President Phayre - Yes
Councilmember Quinn - Yes
Councilmember Sciara - Yes
Councilmember Waneck - Yes

Ordinances on Final Hearing

#09-08 An Ordinance To Amend Ordinance No. 05-20 Entitled “An Ordinance To Create A Substandard Housing Task Force” Within The Borough Of Westwood

BE IT RESOLVED that Ordinance #09-08 entitled: “An Ordinance To Amend Ordinance No. 05-20 Entitled “An Ordinance To Create A Substandard Housing Task Force” Within The Borough Of Westwood”, having hereby been read by title, shall have a hearing held on this date.

Councilmember Waneck explained that ordinances 09-08, 09-09 and 09-10 streamline the Housing Task Force, and change the Borough’s housing ordinances to incorporate real live experience and resident suggestions.

Motion to open the public hearing: Councilmember Waneck

Second: Councilmember Grefrath
Roll Call: Councilmember Grefrath - Yes
Councilmember Miller - Yes
Council President Phayre - Yes
Councilmember Quinn - Yes
Councilmember Sciara - Yes
Councilmember Waneck - Yes

Public Comments:

There were no public comments.

Motion to close the public hearing: Councilmember Waneck

Second: Councilmember Quinn

Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #09-08 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Waneck

Second: Councilmember Quinn
Roll Call: Councilmember Grefrath - Yes
Councilmember Miller - Yes
Council President Phayre - Yes
Councilmember Quinn - Yes
Councilmember Sciara – Yes
Councilmember Waneck - Yes

#09-09 An Ordinance Enacting Residential Rental Landlord/Tenant Unit Registration

BE IT RESOLVED that Ordinance #09-09 entitled: “An Ordinance Enacting Residential Rental Landlord/Tenant Unit Registration”, having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Waneck

Second: Councilmember Quinn
Roll Call: Councilmember Grefrath - Yes
Councilmember Miller - Yes
Council President Phayre - Yes
Councilmember Quinn - Yes
Councilmember Sciara - Yes
Councilmember Waneck - Yes

Public Comments:

There were no public comments.

Motion to close the public hearing: Councilmember Waneck

Second: Councilmember Quinn

Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #09-09 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Waneck

Second: Councilmember Grefrath
Roll Call: Councilmember Grefrath - Yes
Councilmember Miller - Yes
Council President Phayre - Yes
Councilmember Quinn - Yes
Councilmember Sciara – Yes
Councilmember Waneck - Yes

- #09-10 An Ordinance To Implement N.J.S.A. 2a:18-61.1(G) Providing For Relocation Assistance For Evicted Tenants And Enhanced Penalties And Fines To Be Imposed Upon The Owner And/Or Landlord Of An Illegal Dwelling Unit

BE IT RESOLVED that Ordinance #09-10 entitled: “An Ordinance To Implement N.J.S.A. 2a:18-61.1(G) Providing For Relocation Assistance For Evicted Tenants And Enhanced Penalties And Fines To Be Imposed Upon The Owner And/Or Landlord Of An Illegal Dwelling Unit”, having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Waneck

Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Public Comments:

There were no public comments.

Motion to close the public hearing: Councilmember Waneck

Second: Councilmember Quinn

Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #09-10 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Waneck

Second: Councilmember Quinn

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara – Yes

Councilmember Waneck - Yes

- #09-11 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For Various Curb And Sidewalk Improvements In The Borough, And Appropriating \$75,000 Therefor From The Borough’s Capital Improvement Fund

BE IT RESOLVED that Ordinance #09-11 entitled: “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For Various Curb And Sidewalk Improvements In The Borough, And Appropriating \$75,000 Therefor From The Borough’s Capital Improvement Fund”, having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Grefrath

Second: Councilmember Waneck

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Public Comments:

There were no public comments.

Motion to close the public hearing: Councilmember Grefrath

Second: Councilmember Waneck

Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #09-11 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Grefrath

Second: Councilmember Sciara

Roll Call: Councilmember Grefrath - Yes

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara – Yes

Councilmember Waneck - Yes

18. Agenda/Public Forum:

Motion to open the Agenda/Public Forum: Councilmember Grefrath

Second: Councilmember Sciara

Voice Vote: A voice vote was taken with all present voting in the affirmative.

John Clark, 71 Harrington Ave – asked whether the garbage contractor should be collecting electronic items. Mr. Woods said no. Mr. Clark suggested the contractor be told not to pick

those items up. Council President Phayre noted that few communities are so comprehensive as Westwood in recycling,. He asked Mr. Woods to speak with Waste Management.

Winifred Bramley, 476 Fourth Ave – commented that Wachovia is being held in abeyance by the Planning Board. Ms. Bramley felt it was inappropriate for Mr. Miesel to comment on the matter in the newspapers. She asked for comment from the Borough. Mayor Birkner said the Borough cannot comment due to pending litigation.

Councilmember Waneck noted that the project renditions in the paper do not resemble what was brought before the board.

Gail Frasco, 21 Mill Street – asked for clarification on Dr. Boswell's comment that Kelly Donohue would be removing the dredging matter from the stream. Mr. Huntington explained that the Borough needs to engage someone with heavy equipment. Dr. Boswell was using Kelley Donohue as an example of the heavy trucks required. Mrs. Frasco asked what we are going to do with dredging material. Mayor Birkner said there was no definite decision yet. Mr. Huntington said sometimes there is a buyer for it, so the Borough will keep its options open. He noted there will be an intermediate step for drying the matter before trucking it out.

Mrs. Frasco asked if the Borough is moving ahead with section 3B. Mr. Hoffmann reviewed his conversation with the DEP on the 3B application. The DEP indicated the State will approve cleaning out the light debris, litter and metal. They will also approve a chain link fence. The DEP is performing calculations on the placement of the fence and should get back to the Borough by email the end of this week. Another question is the height of the fence. Mrs. Frasco asked if it was still being discussed to put dirt in that area. Mayor Birkner said no, a fence would be suitable.

Mrs. Frasco commented that MPI always said the methane gas production would decrease.

Mrs. Frasco asked about the status of the grant for the landfill. Mayor Birkner said it was approved as a loan because the Borough did not meet the high density population requirements, based on the 2000 census. The Borough is working with Green Acres to transfer the loan to a grant as 25% rather than 50%. Mrs. Frasco asked how much money was awarded. Mayor Birkner said the Borough was approved for a \$500,000 loan, which Borough and Green Acres representatives are working on converting to a grant.

Motion to Close the Agenda/Public Forum: Councilmember Grefrath

Second: Councilmember Quinn

Voice Vote: A voice vote was taken with all present voting in the affirmative.

19. Presentation of Bills, Financial Reports and Resolutions:

The following Resolutions were enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions were considered separately.

Mayor Birkner asked if any Councilmember had any questions on the resolutions. The resolution "Approval To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department of Transportation for the Emerson Road Improvements Project" was added to the consent agenda.

Resolutions as Consent Agenda:

Resolution #09 - 150: Bill List & Statement of Cash

Resolution #09 - 151: Participation in the Sustainable Jersey Municipal Certification Program

Resolution #09 - 152: Municipal Representatives for Open Space Committee

Resolution #09 - 153: Authorizing Refund of Taxes B2001 L14

Resolution #09 - 154: Approving Roadway Improvements at Hudson Street

Resolution #09 - 155: Authorizing Construction Inspection for Removal of Westwood Avenue Crosswalks

Resolution #09 - 156: Opposing A Proposed Diversion of Funds From the Emergency Medical Technician Training Fund

Resolution #09 - 157: Myasthenia Gravis Awareness Month

Resolution #09 - 158: Scleroderma Awareness Month

Resolution #09 - 159: Block Party Request – Center Avenue

Resolution #09 - 160: Raffle License #377 – Westwood Volunteer Ambulance Corps.

Resolution #09 - 161: Raffle License #378 – Westwood Volunteer Ambulance Corps.

Resolution #09 - 162: Street Closure – Zion Lutheran School

Resolution #09 - 163: Approval To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department of Transportation for the Emerson Road Improvements Project

Motion to adopt resolutions #09-150 through #09-163: Councilmember Quinn

Second: Councilmember Waneck

Roll Call: Councilmember Grefrath - Aye

Councilmember Miller - Yes

Council President Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

20. Closed Session II:

RESOLVED THAT the Mayor and Council of the Borough of Westwood shall convene in Executive Closed Session to discuss the following matters:

Pending Litigation

Personnel Matters

Said discussions are deemed legally confidential pursuant to NJSA 10:4-12(b)

[7] Litigation or contract negotiation, attorney/client

[8] Employment Matters.

The Clerk is directed to keep separate minutes of the meeting which shall be made public once the matter has been resolved.

Motion to enter Closed Session with the intention to reconvene in Open Session:

Councilmember Grefrath Second: Councilmember Waneck

Roll Call: Councilmember Grefrath - yes

Councilmember Miller - yes

Council President Phayre - yes

Councilmember Quinn - yes

Councilmember Sciara - yes

Councilmember Waneck - yes

The time was 10:05 pm.

21. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Sciara

Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 10:30 pm.

22. Adjournment:

Motion to adjourn: Councilmember Sciara

Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 10:30 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk
Robert S. Hoffmann, Borough Administrator